

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KENDELL GAETZ,

Plaintiff,

v.

DR. MANLOVE,

Defendant.

ORDER

Case No. 19-cv-464-bbc

KENDELL GAETZ,

Plaintiff,

v.

BRIAN FOSTER, et al.,

Defendants.

ORDER

Case No. 19-cv-492-bbc

Plaintiff Kendell Gaetz, a prisoner in the custody of the Wisconsin Department of Corrections, has submitted a proposed civil complaint under 42 U.S.C. § 1983 in each of the above cases. Plaintiff has filed a certified copy of a trust fund account statement in support of his motion for leave to proceed without prepaying the fee. After considering the motion and supporting documentation, the court concludes that plaintiff qualifies for indigent status.

Even when a prisoner litigant qualifies for indigent status, the litigant must pay a portion of the fee returned by the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff's trust fund account statement, I conclude plaintiff's initial partial filing fee in each of the above cases to be \$1.49. For these cases to proceed, plaintiff must submit \$1.49 for each case on or before July 8, 2019.

ORDER

IT IS ORDERED that,

1. Plaintiff Kendell Gaetz is assessed \$1.49 as an initial partial payment of the \$350.00 fee in each of the above cases. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$1.49 for each case or advise the court in writing why plaintiff is not able to submit the assessed amount on or before July 8, 2019. If plaintiff does not have enough money to make the initial partial payments from plaintiff's regular account, plaintiff should arrange with authorities to pay the remainder from plaintiff's release account.

2. If, by July 8, 2019, plaintiff fails to make the initial partial payments or show cause for failure to do so, plaintiff will be held to have withdrawn these actions voluntarily and these cases will be closed without prejudice to plaintiff filing them at a later date.

3. No further action will be taken in these cases until the clerk's office receives plaintiff's initial partial filing fee for each case as directed above and the court has screened the complaint as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915A. Once the screening process is complete, a separate order will issue.

Entered this 14th day of June, 2019.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge